

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LEE JENKINS,

Plaintiff, No. CIV S-04-1152 MCE GGH P

vs.

J.G. ARCEO, et al.,

Defendants. FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983. By concurrently filed order, this court has found this amended complaint sets forth some cognizable claims against certain defendants. However, for the majority of the defendants and claims, this court finds dismissal appropriate for the reasons extensively set forth in the court's order filed on December 12, 2005.

Accordingly, IT IS HEREBY RECOMMENDED that:

1. Plaintiff's claims against J. Valadez, Vincent Cullen, Glen Riddle, V. Sanchez, J.G. Arceo, Tony Loftin, N. Grannis, J.L. Schmidt, M. P. Gallagher, C. Semel, S. Ortiz, T. Surges, James L. Deason, S.O. Kephart, B. Curry, L. H. Dizung, J. Valdez, M. Veal, Crawford, Duncan, L. Buccinio, A. Swanson, Nadim K. Khouri, P. Enriquez, Dizmang, J. M. August, D. L. Turner, Dr. H. Hasheem, M. Hodges, Dr. Pacifico, Sgt. T. Winters, Joyce Thompson, K.L.

1 Kirpinsky, M. Hodges-Wilkens, F. Gonzalez, R. Grenz, C/O Summers, Counselor Dominguez,
2 Lance Jensen, C/O Whitten, D. Shankland, J. Stocker, M. Bradley, J. Bick, R. Meyers, D.
3 Myers, R. Carney, M. Cry, Sgt. Goddard, Sgt. Stevens, Dr. Beck, Robert McGahey, Dr. Diznang,
4 Jeff Griffin, D. M. Cornez , J.E. Boyd, Counselor Dominguez, Counselor Ochoa, C. Buckley,
5 Harley G. Lapin, C/O Furnari, C/O Guy, J.C. Sanders be dismissed and these parties be
6 dismissed as defendants in this action; and

7 2. Plaintiff's claims against defendants C/O Wilson, Sgt. Pemberton, Sgt. Foster
8 be dismissed with the exception of those specific colorable claims set forth both in the court's
9 December 12, 2005 order and in the concurrently filed order as to defendants Wilson, Pemberton
10 and Foster.

11 These findings and recommendations are submitted to the United States District
12 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
13 days after being served with these findings and recommendations, any party may file written
14 objections with the court and serve a copy on all parties. Such a document should be captioned
15 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
16 shall be served and filed within ten days after service of the objections. The parties are advised
17 that failure to file objections within the specified time may waive the right to appeal the District
18 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

19 | DATED: 4/18/06

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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